



1FW

1120.40545X00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: A. KOVACS, et al.  
Application No.: 09/932,089  
Filed: August 20, 2001  
For: RELOCATION METHOD, SYSTEM AND NETWORK ELEMENT  
Art Unit: 2683  
Examiner: D. C. LE

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 17, 2005

Sir:

In response to the Office Action dated November 17, 2004, Applicants respectfully request reconsideration for the reasons set forth below.

At the outset, Applicants would like to express their appreciation to the Examiner for the allowance of claims 1-16 and 20-46.

Briefly, the present invention defined by the independent claims 17 and 19, and their respective dependent claims, is directed to improved relocation arrangements to permit enhancing soft handover procedures to improve network performance. To this end, a drift network element (e.g., 21 in Fig. 1) is provided which is used in relocating a user element (e.g., 30) from a serving network element (e.g., 20) to a target network element (e.g., 22). Fig. 1, for example, shows three operating states A-C of a radio network access network during such a relocation (noting, of course, that reference to Fig. 1 is solely for purposes of example, and not intended to limit the invention only to the specific details of that figure). As discussed

on pages 9 and 10 of the specification, the drift network element 21 is an important element of the present invention in implementing the relocation of the user 30 from the serving network element 20 to the target network element 22.

Reconsideration and allowance of the independent claim 17 and its dependent claim 18 over the cited reference to Andersson (US 2002/0082014) is respectfully requested. Independent claim 17 specifically defines that three network elements are involved, specifically, the claimed network element itself, a drift network element and serving network element (noting that Fig. 1 shows one example that can support this claim language, with the claimed network element corresponding to the target network element 22, the serving network element "to be subjected to relocation" corresponding to the serving network element 20 and the drift network element corresponding to the illustrated drift network element 21). In conjunction with this, it is defined that the network element (e.g., 22) includes means for receiving relocation specific information, means to establish a link with the drift network element (e.g., 21), specified by the relocation specific information, and means for initiating a downlink by-casting procedure or a downlink transport forwarding procedure. In other words, claim 17 clearly establishes the interconnection and interoperability of the three claimed network elements.

The cited primary reference to Andersson, on the other hand, only describes connection between two network elements, namely a serving network element and a drift network element. To put this another way, in Andersson, the drift network element is actually the target network element. Thus, Andersson is concerned with an end-to-end signaling protocol utilized to establish plural distinct connections or link segments which extend in series between a device in the serving radio network

control node and a device at a base station controlled by a drift radio network control node. Thus, one of the plural distinct connection segments can still be utilized after the SRNC relocation procedure. Although this may be of general interest, it clearly does not teach or suggest the features set forth in claim 17 and its independent claim 18.

In addition to the above-noted shortcomings regarding Andersson, it is further noted that Andersson fails to teach or suggest the feature defined by the last paragraph of claim 17, namely:

"means for initiating a downlink by-casting procedure to said network element and to a serving network element to be subjected to relocation, or a downlink transport forwarding procedure from said serving network element to said network element."

Accordingly, for the reasons set forth above, reconsideration and allowance of independent claim 17, as well as its dependent claim 18, is respectfully requested.

Reconsideration and allowance of independent 19 and its dependent claim 20 is also respectfully requested. Like claim 17, and unlike the Andersson reference, claim 19 also defines three network elements. More specifically, claim 19 is directed to a network element (that can correspond to the serving network element 20 of Fig. 1), a drift network element (e.g., 21) and a target network element (e.g., 22). In other words, claim 19 defines the network element from the serving network elements perspective, rather than the perspective of claim 17 which defines the network element from the target network element's perspective. In any event, like claim 17, claim 19 distinguishes over Andersson by virtue of defining an arrangement using these three network elements.

In addition, claim 19 further defines over Andersson by virtue of defining a serving network element which includes:

"means for adding an identification information to a relocation-specific information, said identification information identifying a drift network element supporting said network element in serving a user equipment."

Even more specifically, nothing in Andersson teaches or suggests the combination of such a means for adding such identification information to relocation-specific information together with means for transmitting the relocation-specific information to a target network element. Although the Office Action refers to [0058] of Andersson on this point, it is respectfully submitted that nothing in this paragraph (or any other paragraph of Andersson) actually teaches or suggests the above-noted claimed features. If the Examiner disagrees, it is respectfully requested that the specific language in Andersson being relied on be pointed out in any future Office Action.

Accordingly, for the reasons set forth above, reconsideration and allowance of independent claim 19 and its dependent claim 20, over Andersson is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus,

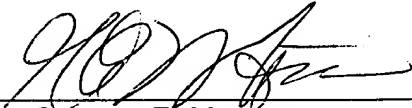
Application No.: 09/932,089  
Art Unit: 2683

Docket No.: 1120.40545X00  
Page 5

LLP Deposit Account No. 01-2135 (Docket No. 1120.40545X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By   
\_\_\_\_\_  
Gregory E. Montone  
Reg. No. 28,141

GEM/dlt

1300 North Seventeenth Street, Suite 1800  
Arlington, Virginia 22209  
Telephone: (703) 312-6600  
Facsimile: (703) 312-6666